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UNITED STATES PATENT AND TRADEMARK OFFICE

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Trademark Trial and Appeal Board  
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In re Northwest Airlines, Inc.  
\_\_\_\_\_

Serial No. 75/367,405  
\_\_\_\_\_

Elizabeth C. Buckingham of Dorsey & Whitney LLP for  
Northwest Airlines, Inc.

Andrea Nadelman, Trademark Examining Attorney, Law Office  
110 (Chris Pedersen, Managing Attorney)  
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Before Hanak, Hairston and Bucher, Administrative Trademark  
Judges.

Opinion by Hanak, Administrative Trademark Judge:

Northwest Airlines, Inc. (applicant) seeks to register  
NORTHWEST AIRLINES WORLDSERVICES in typed drawing form for  
"aircraft repair and maintenance services provided for  
others" (class 37) and for "airline transportation services  
provided for others" (class 39). The intent-to-use  
application was filed on October 3, 1997. Applicant  
disclaimed the exclusive right to use AIRLINES.

Citing Sections 2(e)(1) and 6(a) of the Trademark Act, the examining attorney refused registration because applicant did not disclaim WORLDSERVICES. It is the contention of the examining attorney that this word is merely descriptive of both types of services for which applicant seeks registration.

When the refusal to register was made final, applicant appealed to this Board. Applicant and the examining attorney filed briefs. Applicant did not request an oral hearing.

As has been stated repeatedly, "a term is merely descriptive if it forthwith conveys an immediate idea of the ingredients, qualities or characteristics of the goods [or services]." In re Abcor Development Corp., 588 F.2d 811, 200 USPQ 215, 218 (CCPA 1978) (emphasis added); Abercrombie & Fitch Co. v. Hunting World, Inc., 537 F.2d 4, 189 USPQ 759, 765 (2<sup>nd</sup> Cir. 1976). Moreover, the immediate idea must be conveyed forthwith with a "degree of particularity." In re TMS Corp. of the Americas, 200 USPQ 57, 59 (TTAB 1978); In re Entenmann's Inc., 15 USPQ2d 1750, 1751 (TTAB 1990), aff'd 90-1495 (Fed. Cir. February 13, 1991).

We begin our analysis by a review of the evidence which the examining attorney has submitted in an effort to

establish that WORLDSERVICES is descriptive of aircraft repair and airline transportation services. At the outset, we note that the examining attorney concedes that he has been unable to locate any dictionary definition of the term WORLDSERVICES, whether depicted as one word or two words, or whether depicted in the singular or plural form. (Examining attorney's brief page 6). Of course, the absence of the term WORLDSERVICES (one word or two; singular or plural) is not dispositive of the issue of mere descriptiveness.

The examining attorney's evidence consists of excerpts of stories appearing in the NEXIS data base and five third-party registrations where in the term WORLD SERVICE(S) has been disclaimed. It should be made clear that the examining attorney has made of record no NEXIS excerpts or third-party registrations involving the term WORLDSERVICES wherein said term has been depicted as one word, either in the singular or plural form.

As noted in Office action number 3, the examining attorney has separated the NEXIS excerpts into two groups -- those dealing with industries or endeavors totally unrelated to the airline industry (exhibit C) and those related to the airline industry (exhibit D). Of course, it is fundamental that the mere descriptiveness of a word or

term is not judged in the abstract, but rather is judged in relationship to the goods and services for which registration is sought. Abcor Development, 200 USPQ at 215. Accordingly, while we will not ignore those NEXIS excerpts dealing with industries totally unrelated to the airline industry (exhibit C), we will give more weight to those NEXIS excerpts related to the airline industry (exhibit D).

Considering first the approximately 15 NEXIS excerpts comprising exhibit C, we note that the vast majority of them (at least 12) are from foreign publications or are mere wire service releases. Excerpts from foreign publications and wire services are entitled to very little weight in determining whether a particular word or term is merely descriptive in the United States. Moreover, even if we were to consider these foreign publications and wire service releases, they demonstrate that the term "world service" has no particular meaning. For example, an excerpt of an article from a British Broadcasting Corporation story states, in part, that "Radio Ukraine is no longer a world service because its transmission zones are confined to Europe, the Middle East and Central Asia." The disparity in meanings of the term "world service" is further demonstrated by the following passage from the May

18, 1999 issue of Investor's Business Daily, one of the few publications submitted by the examining attorney which appears in the United States: "And it [the Defense Department] has used them [reservists] for missions less and less related to national defense than to world service - disaster relief, peace keeping, nation-building and discretionary wars against Yugoslavia and Iraq."

In short, because the evidence which the examining attorney has submitted as exhibit C (1) consists primarily of foreign publications and wire service releases; (2) deals with industries and endeavors totally unrelated to the airline industry; and (3) does not reveal any particular meaning of the term "world service," we find that said evidence does not advance the case of the examining attorney in establishing that WORLDSERVICES is merely descriptive for aircraft repair and airline transportation services.

Turning to the consideration of those NEXIS excerpts which pertain to the airline industry (exhibit D), we find that these excerpt do not support the examining attorney's position in that not one of the excerpts uses the term "world service(s)" in a descriptive fashion. Rather, when the term "world service(s)" is used in connection with the airline industry, it is used in a manner of a trade name or

service mark. For example, an article appearing in The Times-Picayune of December 5, 1996 contains the following sentence: "Pak is the president of World Service, an airline cleaning and supply service." Moreover, many of the stories make reference to Pan Am World Services, a former division of Pan Am Airlines. In sum, in considering those NEXIS stories dealing specifically with the airline industry (exhibit D), we find that these stories in no way establish that the term "world service" is merely descriptive. Indeed, if anything, these stories have conditioned the public to view World Service as a proprietary term.

Finally, we note that the examining attorney has submitted as exhibit E five third-party registrations where in the term "world service(s)" has been disclaimed. Two comments are in order. First, none of these five registrations involve services even remotely related to the services for which the applicant seeks registration. Second, in any event, we are not privy as to why the five registrants elected to disclaim the term "world service(s)."

Having considered all the examining attorney's evidence, we find that in its totality it simple fails to establish that the term WORLDSERVICES is merely descriptive

for aircraft repair and airline transportation service. Indeed, as just noted, the examining attorney's own evidence pertaining to the airline industry (exhibit D), suggests, if anything, that in this particular industry the term World Service has been used in a manner so as to condition the relevant purchasing public to view it as a proprietary term.

Having determined that the examining attorney has failed to meet his burden of proof, we could end this opinion at this point. However, one final comment is in order. It has been held that words such as GLOBE or WORLD have such "sweeping, all-inclusive meanings" such that said terms are simple not geographically descriptive. See 2 J. McCarthy, McCarthy on Trademarks and Unfair Competition section 14:7 at page 14-15 (4th ed. 2000) and cases cited therein. Of course, the issue before us presently is not the issue of primarily geographically descriptive, but rather the issue of merely descriptive. However, we think that the same reasoning applies in both instances. The word "world" has many meanings including the planet earth; the whole universe; the human race; and a great deal or a large amount. Webster's New World Dictionary (2d ed. 1970). We do not think that consumers of aircraft repair services or airline transportation services, upon seeing

the term WORLDSERVICES, would believe that said services are actually rendered everywhere. Indeed, applicant, a major international airline, does not offer services in many significant parts of the world, including the continents of Africa, Australia and South America. Rather, we believe that consumers, upon seeing the term WORLDSERVICES, would be more likely to come away with a vague notion that said services are extensive or that said services are world class (i.e. high in quality). In short, the term WORLDSERVICES does not convey any information about applicant's services with the aforementioned required "degree of particularity."

Decision: The refusal to register is reversed.